

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JESSIE ALI,

Plaintiff,

v.

CITY & COUNTY OF SAN FRANCISCO,  
et al.,

Defendants.

Case No. [21-cv-02193-TSH](#)

**ORDER SETTING SHOW CAUSE  
HEARING AND REQUIRING  
FURTHER DECLARATION OF  
COUNSEL**

On May 13, 2022, the Court ordered Plaintiff Jessie Ali to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. ECF No. 31. The Court also ordered Plaintiff's counsel, Stanley Craig Goff, Jr. to show cause why he should not be referred to the State Bar for his failure to comply with his obligations under Federal Rule of Civil Procedure 11 and Civil Local Rule 11. The Court directed Goff to serve the show cause order on Ali and file proof of service by May 17, 2022.

Goff filed a response on May 24, indicating that "after filing the lawsuit for Plaintiff in this matter, it was conveyed to me that my legal representation of the Plaintiff was no longer needed," and that he intends to file a motion to withdraw. ECF No. 32. Goff also stated that "all that I have is a phone number that belongs to the Plaintiff, which is the only point of contact that I have for him. That I do not have an e-mail or physical address to send Plaintiff the recent order issued by the Court in order to for me to file a proof of service." Finally, Goff stated that he failed to respond to the Court's May 6 status order "due to a family emergency that necessitated me taking a family member to emergency for suffering from pneumonia and then having to care for the family member for over two weeks."

Based on Goff's response, the Court, out of concern that Goff is not fulfilling his duties

1 and responsibilities to both his client and the Court, issued an order for him to file a further  
 2 declaration. ECF No. 33. It noted that Goff has known since at least July 15, 2021, the date he  
 3 responded to the first show cause order in this case, that “Plaintiff Jessie Ali is in the process of  
 4 either obtaining new counsel or representing himself in pro se.” ECF No. 15. Goff also  
 5 previously represented that he intended to file a motion to withdraw as counsel, ECF No. 28, yet  
 6 he had not done so. Over ten months had passed since Goff first informed the Court that he would  
 7 no longer represent Plaintiff, yet he had made no effort to withdraw. Further, although Goff stated  
 8 that he has a phone number for Plaintiff, he did not state whether he attempted to call his client  
 9 and inform him of the show cause order or his intent to withdraw as counsel. Accordingly, the  
 10 Court ordered Goff to file a further declaration by June 2 detailing: (a) the reason he has not  
 11 sought to withdraw from this case at any time since July 15, 2021; (b) his communication attempts  
 12 with his client since that date; (c) a record of any calls he made to his client (including dates,  
 13 times, and duration of attempts) between May 24 and June 2; and (d) if able to reach Plaintiff by  
 14 phone, an attestation that he informed his client of the status of the proceedings and the pending  
 15 show cause order, that he requested Plaintiff provide a physical address and/or e-mail address,  
 16 and that he informed his client that he intends to file a motion to withdraw. ECF No. 33. The  
 17 Court also directed Goff to file a motion to withdraw as counsel by June 2. Pending Goff’s  
 18 response, the Court held the show cause order in abeyance.

19 As of today, Goff has not filed a further declaration and has not filed a motion to withdraw  
 20 as counsel. Accordingly, the Court shall conduct a show cause hearing on June 16, 2022 at 9:00  
 21 a.m. by Zoom video conference. The webinar link and instructions are located at  
 22 <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>. At the hearing, Plaintiff shall have a final  
 23 opportunity to show cause why this case should not be dismissed for failure to prosecute, and Goff  
 24 shall have a final opportunity to show cause why he should not be referred to the State Bar for his  
 25 failure to comply with his obligations under Federal Rule of Civil Procedure 11 and Civil Local  
 26 Rule 11. The Court further **ORDERS** Goff to file a declaration by June 9, 2022, attesting that (1)  
 27 he attempted to serve this order and the Court’s previous orders on his client; (2) he attempted to  
 28 call his client and notify him of the Court’s show cause orders, including a record of any calls he

1 makes to his client (with dates, times, and duration of attempts) between May 24 and June 9; and  
2 (3) if able to reach Plaintiff, an attestation that he informed his client of the status of the  
3 proceedings and the show cause hearing scheduled for June 16.

4 **IT IS SO ORDERED.**

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6 Dated: June 6, 2022

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8 THOMAS S. HIXSON  
9 United States Magistrate Judge  
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